



JPW/AF

2424-19

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Erik Brogaard Thomsen

Serial No.: **09/381,771**

Filed: October 26, 1999

For: **FIGURATIVE PRINT ON A PLANE PRINT CARRIER
AND USE OF SUCH FIGURATIVE PRINT**

Art Unit: 3611

Examiner: Joanne Silbermann

REPLY BRIEF

Mail Stop Appeal Briefs – Patents
Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

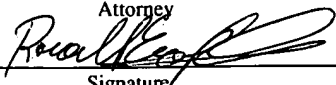
S I R:

In response to the Examiner's Answer of August 4, 2009, the Applicant offers the following:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on **October 5, 2009**

Ronald E. Brown

Attorney



Signature

October 5, 2009

Date of Signature

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 50-1145, Order No. 2424-19..

REMARKS

The Examiner's Answer appears to assert that it would have been obvious to just take the perspective projections of images defined in Brown and then supposedly add the third dimension from the Fontworks, Sanity font. However, such a combination merely results in the following image (Figure 1) which does not include the claimed "wherein said secondary figurative element depicts a third dimension of said image".



Figure 1

However, Figure 1 results in quite a different image than is presented in the image as created by the recitation of Claim 1, as shown in the following Figure 2 wherein "said secondary figurative element depicts a third dimension of said image" and, additionally is realistic and aligned with the surroundings. In other words, Figure 2 produces an image with truly realistic 3-D effects, whereas Figure 1 merely produces a small degree of perspective.



Figure 2

Reversal of the Examiner's rejections and the allowance of the presently pending application is respectfully requested.

Respectfully submitted,

Ronald E. Brown
Registration No. 32,200

DAY PITNEY LLP
7 Times Square
New York, NY 10036
212.297.5800